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I hereby certify that on March 3, 2004, which is the date I am signing this certificate, I am depositing this correspondence the United States Postal Service, first class mail, in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Ann Pommier  
Ann Pommier

**PATENT**

**Applicant:** ROBERT J YOUNG

**Serial No.:** 09/536,879

**Filed:** 03-27-2000

**Title:** LANGUAGE-DRIVEN INTERFACE  
FOR AN AUTOMATED TESTING  
FRAMEWORK

**Atty. Docket No.:** 060021-355001

**Examiner:** MASKULINSKI, MICHAEL C

**Group Art Unit:** 2184

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**DAYCO STATEMENT REGARDING RELATED APPLICATIONS**

Sir:

In the recent case, *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358; 66 U.S.P.Q.2d 1801 (Fed.Cir.2003), the Federal Circuit stated (1) in the context of 37 C.F.R. § 1.56, a co-pending application may be “material” in the prosecution of a patent, even if the co-pending application cannot result in a shorter patent term; and (2) in the context of 37 C.F.R. § 1.56, a contrary decision of another examiner reviewing a substantially similar claim meets the threshold level of materiality.

In light of *Dayco*, Applicant respectfully identifies the following United States patent applications, which are or were co-pending with the present application and may contain similar subject matter as the present application:

Serial No.	Patent No.	Filing Date	Atty. Docket	Title
09/536,878	6,502,102	03-27-2000	060021-354601	A TABLE-DRIVEN AUTOMATED SCRIPTING ARCHITECTURE
09/536,214		03-27-2000	060021-354701	IMPROVED ACCURACY IN AN AUTOMATED SCRIPTING FRAMEWORK
09/536,264	6,701,511	03-27-2000	060021-355101	TEST MAINTENANCE IN AN AUTOMATED SCRIPTING FRAMEWORK
09/536,012		03-27-2000	060021-355201	PROVIDING METRICS IN AN AUTOMATED SCRIPTING FRAMEWORK
09/535,586		03-27-2000	060021-354501	AN AUTOMATED SCRIPTING SOLUTION FOR ENTERPRISE TESTING
09/535,755		03-27-2000	060021-354801	PROVIDING APPLICATION INDEPENDENCE IN AN AUTOMATED SCRIPTING FRAMEWORK
09/536,929		03-27-2000	060021-354901	TEST DEVELOPMENT IN AN AUTOMATED SCRIPTING FRAMEWORK

Applicant brings these applications to the attention of the examiner, or other Office official involved with the examination of the present application. However, please do not construe the filing of this statement as a representation that applicant has made a search, or as an admission that the co-pending applications are, or are considered to be, material to patentability, or that no other co-pending applications exist.

March 3, 2004



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